

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN DOE,

Plaintiff,

-against-

CITY OF NEW YORK, CORRECTION  
OFFICER AFIYA MITCHELL,  
CORRECTION OFFICER JAMES  
PATTERSON, and CORRECTION OFFICER  
DWIGHT COX,

Defendants.

USDC SDNY  
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DATE FILED: 7/14/2020

1:19-cv-06322 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

In response to the Court's Order to Show Cause [ECF #58], Plaintiff filed a letter explaining certain delays in document production and disclosure of Plaintiff's medical treatment. From that letter, it remains unclear whether Plaintiff adequately has responded to Defendants' discovery requests or complied with the Court's previous orders [ECF #45, 58]. Specifically, the Court cannot determine whether Plaintiff has provided Defendants with original copies of Plaintiff's medical authorizations and all documents responsive to Defendants' outstanding discovery requests from October 2019. Additionally, while Plaintiff claims that the deposition of Plaintiff was completed on June 25, 2020, the Court has previously ordered that the deposition must recommence to address any issues related to the forthcoming documents. Accordingly,

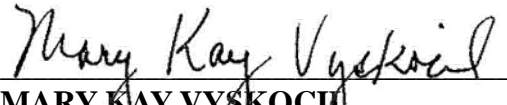
IT IS HEREBY ORDERED that Plaintiff must produce, before the July 20 deadline previously set by the Court, all documents he previously was ordered to produce. This may include mailing new versions of documents which Plaintiff claims already to have provided to Defendants, which Defendants have not received. It is Plaintiff's responsibility to coordinate with Defendant's counsel to confirm addresses and otherwise ensure delivery of documents.

IT IS FURTHER ORDERED that if Plaintiff continues to fail to produce all documents he has been ordered to produce, including those he claims to have produced and Defendants claim not to have received, he may face sanctions, including monetary penalties and/or an order precluding him from offering proof at trial with respect to certain claims or alleged injuries or damages.

IT IS FURTHER ORDERED that the August 5, 2020 conference will constitute a post-discovery conference. The Parties should submit pre-motion letters addressing any anticipated dispositive motions by July 29, 2020. The Parties should review the Court's Individual Practice Rules relating to trial and be prepared to discuss a schedule for preparation for trial and other trial logistics. The Court will also address any outstanding issues related to sanctions at that conference.

**SO ORDERED.**

**Date: July 13, 2020**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**